



**SENATE AMENDMENT 2,  
TO SENATE SUBSTITUTE AMENDMENT 2,  
TO 2009 SENATE BILL 66**

November 5, 2009 – Offered by Senator S. FITZGERALD.

- 1           At the locations indicated, amend the substitute amendment as follows:
- 2           **1.** Page 2, line 9: after “intoxicated,” insert “drug courts,”.
- 3           **2.** Page 6, line 1: before that line insert:
- 4           “**SECTION 1c.** 16.964 (12) (a) (intro.) of the statutes is amended to read:
- 5           16.964 **(12)** (a) (intro.) In this subsection, ~~“violent;~~
- 6           4. “Violent offender” means a person to whom one of the following applies:
- 7           **SECTION 1d.** 16.964 (12) (a) 1. and 2. of the statutes are renumbered 16.964 (12)
- 8           (a) 4. a. and b.
- 9           **SECTION 1f.** 16.964 (12) (a) 3. of the statutes is created to read:
- 10           16.964 **(12)** (a) 3. “Drug court” means a court that diverts a substance abusing
- 11           person who is not a violent offender from prison or jail into treatment by increasing

1 direct supervision of the person, coordinating public resources, providing intensive  
2 community-based treatment, and expediting case processing.

3 **SECTION 1h.** 16.964 (12) (b) of the statutes, as affected by 2009 Wisconsin Act  
4 28, is amended to read:

5 16.964 **(12)** (b) The office shall make grants to counties to enable them to  
6 establish and operate programs, including suspended and deferred prosecution  
7 programs and programs based on principles of restorative justice, that provide  
8 alternatives to prosecution and incarceration for criminal offenders who abuse  
9 alcohol or other drugs, and that may involve the operation of a drug court. The office  
10 shall make the grants from the appropriations under s. 20.505 (6) (b), (j), and (ku).  
11 The office shall collaborate with the departments of corrections and health services  
12 in establishing this grant program.”.

13 **3.** Page 6, line 1: delete “**SECTION 1**” and substitute “**SECTION 1m**”.

14 **4.** Page 7, line 13: after that line insert:

15 “**SECTION 3m.** 302.113 (2) (b) 6. of the statutes, as created by 2009 Wisconsin  
16 Act 28, is amended to read:

17 302.113 **(2)** (b) 6. A violent offender, as defined in s. 16.964 (12) (a) 4.”.

18 (END)